

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

THOMAS M. O'CONNELL (NYSBN 1901850)
Assistant United States Attorney

150 Almaden Boulevard, Suite 900
San Jose, California 95113-3081
Telephone: (408) 535-5053
E-mail: thomas.m.oconnell@usdoj.gov

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,) NO. 08-70028-HRL

Plaintiff,)
v.)
CHRISTINE RUIZ,)
Defendant.)
GOVERNMENT'S
DISMISS COMPL.
~~PROPOSED ORDER~~

**GOVERNMENT'S MOTION TO
DISMISS COMPLAINT AND
~~PROPOSED~~ ORDER**

COMES NOW THE UNITED STATES OF AMERICA appearing through the undersigned Assistant United States Attorney and moves this Honorable Court for an order dismissing the above-captioned complaint. The facts supporting this request are as follows:

The Government has been advised by Pre Trial Services that the defendant has been arrested by local authorities based upon the same conduct charged in the instant complaint, and is currently being held in custody on those charges. Consequently, the decision has been made to defer to the County of Santa Clara to pursue the charges in their forum.

Accordingly, the government respectfully requests that the above-captioned complaint

E-Filing
2006 FEB -8 AM 11:46
RICHARD H. WIEKING
CHAMBERS
COPY

RECEIVED

FEB - 8 2008

1 be dismissed.
2
3
4

Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
United States Attorney
6

7 DATED: February 7, 2008
8

/S/
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

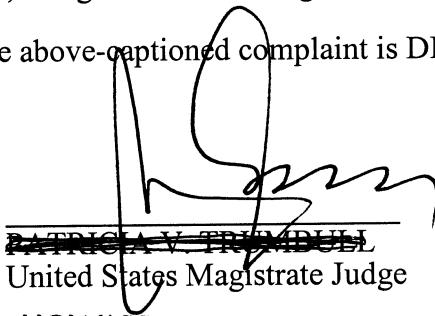
THOMAS M. O'CONNELL
Assistants United States Attorney

ORDER

Upon application of the United States, and good cause having been shown,

IT IS HEREBY ORDERED that the above-captioned complaint is DISMISSED.

DATE: 2/8/08


PATRICK V. TRIMBLE
United States Magistrate Judge

HOWARD R. LLOYD

Distribute to:

Thomas M. O'Connell
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, CA 95113

GOVT. REQUEST TO DISMISS COMPLAINT;
ORDER]